IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR.

S.B.CIVIL WRIT PETITION NO.1661/2005.

Satish Chandra VS. State & ors.

DATE OF ORDER : 22.03.2005.

HON'BLE MR. R.P. VYAS, J.

Mr.Dixit Bohra for the petitioner(s).

The instant writ petition is directed seeking a direction to the respondent No.2 to adjudicate/decide the appeal of the petitioner within a stipulated period.

Brief facts giving rise to the instant petition are as follows:

A complaint was received by the District Education Officer, Sri Ganganagar against the petitioner that the petitioner has got appointment on the post of Physical Teacher in the year 1997-98, on the basis of false and forged Domicile Certificate as well as Sports Certificate.

On receipt of the said complaint, the District Education Officer, Sri Ganganagar, proceeded with the complaint and framed charges against the petitioner vide order Annex.1.

Thereafter, the petitioner was duly informed for personal hearing vide order dated 14.7.2004 (Annex.2) issued by the District Education Officer (Secondary), Sri Ganganagar.

After completion of the enquiry, the petitioner was terminated from the services with immediate effect and all the benefits of the petitioner were withheld.

Being aggrieved by the order of termination, the petitioner preferred an appeal (Annex.3) on 19.8.2004 before the appellate authority, and the same is still pending decision, but the appellate authority has not proceeded to adjudicate the matter. Thereafter, the petitioner again submitted an application on 15.10.2004 before the respondent No.2 with additional grounds of the appeal, but the appellate authority has not taken any steps for deciding the appeal of the petitioner.

Being aggrieved by the inaction on the part of the respondent No.2, the petitioner has filed the instant petition.

Heard learned counsel for the petitioner.

During the course of arguments, it has been requested by the learned counsel for the petitioner that instead of deciding the matter on merits, the petition can be disposed of

by giving a direction to the respondent No.2 to decide the appeal of the petitioner pending before him within a stipulated period.

Since the request of the petitioner is only for deciding the appeal of the petitioner pending before the respondent No.2, therefore, the instant petition is disposed of at this stage by giving a direction to the respondent No.2 to decide the appeal of the petitioner within a period of four months.

Thus, this writ petition filed by the petitioner is disposed of in the manner that the respondent No.2 shall decide the appeal of the petitioner, strictly in accordance with law, within a period of four months from the date of receipt of this order.

With the aforesaid observations and directions, the writ petition stands disposed of.

There shall be no order as to costs.

(R.P. VYAS)J.

Anil